

FILED OF RECORD

FEB 13 2024

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COMMONWEALTH OF KENTUCKY
BOARD OF MEDICAL LICENSURE
CASE NO. 2142

IN RE: THE LICENSE TO PRACTICE MEDICINE IN THE COMMONWEALTH OF
KENTUCKY HELD BY ROBERT J. KLICKOVICH, M.D., LICENSE NO. 41232,
7000 DIXIE HIGHWAY, FLORENCE, KENTUCKY 41042

AGREED ORDER

Come now the Kentucky Board of Medical Licensure (hereafter "the Board"), acting by and through its Inquiry Panel B, and Robert J. Klickovich, M.D. (hereafter "the licensee"), and, based upon their mutual desire to resolve this pending investigation without an evidentiary hearing, hereby ENTER INTO the following **AGREED ORDER**:

STIPULATIONS OF FACT

The parties stipulate the following facts, which serve as the factual bases for this Agreed Order:

1. At all relevant times, Robert J. Klickovich, M.D. was licensed by the Board to practice medicine within the Commonwealth of Kentucky.
2. The licensee's medical specialty is interventional pain management.
3. The licensee is also licensed by the State Medical Board of Ohio ("Ohio Board").
4. The Board received a grievance against the licensee concerning sexual misconduct, unethical/unprofessional conduct, and improper prescribing. The Ohio Board took action pursuant to facts nearly identical to those asserted in the grievance.
5. On or about October 11, 2023, the Ohio Board issued an Amended Order against the licensee's Ohio medical license after a full hearing on the allegations that he engaged in multiple incidences of sexual misconduct with a patient, due to an ongoing sexual relationship with the patient.

6. The Ohio Amended Order imposed the following conditions on the licensee:
 - a. Reprimand,
 - b. Probation subject to the following substantive conditions:
 - i. Obey the law;
 - ii. Completion of course or courses on maintaining physician/patient boundaries, and
 - iii. Completion of course or courses on maintaining adequate and appropriate medical records.
7. On or about November 3, 2023, counsel for the licensee contacted the Board to notify it of the Ohio action and provided a copy of the Ohio Board's transmission email of October 24, 2023, and the corresponding Ohio Amended Order.
8. The licensee agreed to enter into this Agreed Order, in lieu of the issuance of a Complaint.

STIPULATED CONCLUSIONS OF LAW

The parties stipulate the following Conclusions of Law, which serve as the legal bases for this Agreed Order:

1. The licensee's Kentucky medical license is subject to regulation and discipline by the Board.
2. Based upon the Stipulations of Fact, the licensee has engaged in conduct which violates the provision of KRS 311.595(17). Accordingly, there are legal grounds for the parties to enter into this Agreed Order.
3. Pursuant to KRS 311.591(6) and 201 KAR 9:082, the parties may fully and finally resolve this pending investigation without an evidentiary hearing by entering into an informal resolution such as this Agreed Order.

AGREED ORDER

Based upon the foregoing Stipulations of Fact and Stipulated Conclusions of Law, and based upon their mutual desire to fully and finally resolve this pending investigation without an evidentiary hearing, the parties hereby ENTER INTO the following **AGREED ORDER**:

1. The license to practice medicine held by Robert J. Klickovich, M.D., is hereby **PLACED ON PROBATION FOR A PERIOD OF FIVE (5) YEARS**, with that period of probation to become effective immediately upon the filing of this Agreed Order.
2. During the effective period of this Agreed Order, the licensee's medical license **SHALL BE SUBJECT TO THE FOLLOWING TERMS AND CONDITIONS**:
 - a. The licensee **SHALL** provide the Board documentation that he completed the course or courses on maintaining physician/patient boundaries and the course or courses on maintaining adequate and appropriate medical records required in Ohio's Amended Order within three (3) months of the completion thereof; and
 - b. The licensee **SHALL NOT** violate any provision of KRS 311.595 and/or 311.597.
3. Upon receipt of the documentation of completion of the courses on maintaining physician/patient boundaries and on maintaining adequate and appropriate medical records as required by the Ohio Board, the Board agrees to terminate this Agreed Order.
4. The licensee expressly agrees that if he should violate any term or condition of this Agreed Order, the licensee's practice will constitute an immediate danger to the public health, safety, or welfare, as provided in KRS 311.592 and 13B.125. The parties further agree that if the Board should receive information that he has violated any term or condition of this Agreed Order, the Panel Chair is authorized by law to enter an Emergency Order of Suspension or Restriction immediately upon a finding of probable cause that a violation has occurred, after an *ex parte* presentation of the relevant facts by the Board's General Counsel or Assistant General Counsel. If the Panel Chair should issue such an Emergency

Order, the parties agree and stipulate that a violation of any term or condition of this Agreed Order would render the licensee's practice an immediate danger to the health, welfare and safety of patients and the general public, pursuant to KRS 311.592 and 13B.125; accordingly, the only relevant question for any emergency hearing conducted pursuant to KRS 13B.125 would be whether the licensee violated a term or condition of this Agreed Order.

5. The licensee understands and agrees that any violation of the terms of this Agreed Order would provide a legal basis for additional disciplinary action, including revocation, pursuant to KRS 311.595(13).

SO AGREED on this 12 day of February, 2024.

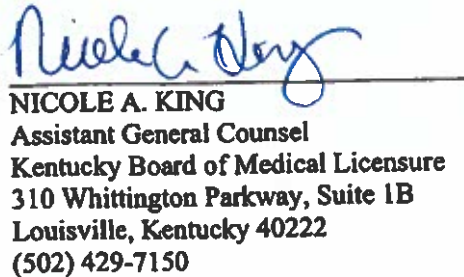
FOR THE LICENSEE:


ROBERT J. KLICKOVICH, M.D.


JEREMY S. ROGERS
COUNSEL FOR THE LICENSEE

FOR THE BOARD:


WILLIAM C. THORNBURY, JR., M.D.
ACTING CHAIR, INQUIRY PANEL B


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